

## UNITED STATES SECURITIES AND EXCHANGE COMMISSION

New York Regional Office Brookfield Place, 200 Vesey St. New York, NY 10281-1022

DIVISION OF ENFORCEMENT

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February 22, 2016

#### **BY ECF**

The Honorable Gary L. Sharpe United States District Judge United States District Court Northern District of New York United States Courthouse Albany, New York 12207

Re: SEC v. McGinn, Smith & Co., Inc., et al., 10-cv-457 (GLS)(CFH)

Dear Judge Sharpe:

On behalf of plaintiff Securities and Exchange Commission, I write regarding the *Motion of William J. Brown, as Receiver, for an Order (I) Approving Plan of Distribution of Estate Assets and (II) Authorizing Interim Distributions* (Dkt. 847).

In a letter dated February 20, 2016 (Dkt. 873), the Receiver requested an extension of time to March 9, 2016, to respond to the objections to the Plan of Distribution that have been filed. For the reasons set forth in the Receiver's letter, the SEC joins in the Receiver's request and respectfully requests that the time for the SEC to respond be extended from February 29, 2016, to March 9, 2016.

Respectfully submitted,

/s David Stoelting

# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

:

Plaintiff,

10 Civ. 457 (GLS)

:

McGINN, SMITH & CO., INC., et al.,

v.

:

Defendants,

:

### **DECLARATION OF SERVICE**

I, David Stoelting, pursuant to 28 U.S.C. § 1746, certify that on February 22 2016, I filed on the Court's ECF system a letter to Judge Sharpe dated February 22, 2016, and sent by electronic mail copies of the above-referenced document to all counsel that have appeared in this matter, and to:

Nancy McGinn 426-8<sup>th</sup> Avenue Troy, NY 12182 nemcginn@yahoo.com Pro Se

Dated:

February 22, 2016 New York, New York

### s/David Stoelting

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